

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LEONARD LAMBERTY,
Plaintiff,
v.
JOEL ROSENBERG,
Defendant.

HON. JEROME B. SIMANDLE
Civil No. 05-227 (JBS)

MEMORANDUM OPINION

Simandle, District Judge:

1. This matter is before the Court on the motion of Plaintiff pro se, Leonard Lamberty, to reopen his case [Docket Item 4]. For the reasons explained below, the motion shall be denied.

2. Plaintiff filed this action in January of 2005, alleging a claim of legal malpractice against his attorney, Joel Rosenberg, for failing to settle the case. Plaintiff indicated that he was a resident of New Jersey, but did not indicate the residence of Defendant. Nor did Plaintiff allege any basis for jurisdiction in this Court.

3. On February 3, 2005 Judge Wolfson, who was then the District Judge assigned to this case, denied his application to proceed *in forma pauperis*, finding that Plaintiff had failed to state a claim for jurisdiction as he was alleging a state law claim for malpractice. Thus, the case was terminated.

4. On March 6, 2008, more than three years later, Plaintiff filed a notice of motion to reopen the case, without any

supporting papers explaining why he was seeking to reopen his case or what the basis for jurisdiction over this matter might be.

5. Putting aside that this motion is effectively a long overdue motion for reconsideration, see L. Civ. R. 7.1(i), the Court must deny the motion because there is no asserted basis for it and Plaintiff has not provided the accompanying materials required by Local Rules 7.1(d) and 7.2. Nor does it appear to the Court that it has subject matter jurisdiction over this action, which appears to be a state law dispute a New Jersey Plaintiff has with a New Jersey Defendant. Accordingly, the motion to reopen must be denied. An appropriate Order shall be entered.

March 31, 2008
Date

s/ Jerome B. Simandle
JEROME B. SIMANDLE
U.S. District Judge